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**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA**

U.S.A. vs. Phillip Bertolet Blyth Lewis

Docket No. 4:24-CR-3-1M

Petition for Action on Conditions of Pretrial Release - ADJUDICATED

COMES NOW Matthew A. Fmura, U.S. Probation Officer of the court, presenting an official report upon the conduct of defendant, Phillip Bertolet Blyth Lewis, who was placed under pretrial release supervision by the Honorable Kimberly A. Swank, U.S. Magistrate Judge, sitting in the Court at Greenville, on the 26th day of February, 2024.

The defendant appeared before Richard E. Myers II, Chief United States District Judge, for arraignment on the 30th day of May, 2024, and supervision was continued under existing conditions.

On December 2, 2024, a Violation Report was submitted advising the court that the defendant was charged with the misdemeanor offense of Resisting Public Officer in Pitt County, North Carolina (24CR1161) on November 16, 2024. This matter was subsequently dismissed on November 27, 2024. Lewis was counseled about his actions by the probation officer and no action was requested from the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 12, 2025, the defendant is expecting his first child. Lewis will be required to stay at East Carolina University Medical Center from that date until the birth of his child. Upon bringing the child home, the defendant and his girlfriend will move to a larger "main" house on the family property; instead of residing in a cabin-type home further back in the property. By doing so, Lewis will be living in a much larger house with multiple stories and may put a strain on the capabilities of the Radio Frequency (RF) Monitoring equipment. Additionally, as Lewis begins fatherhood, he may be required to leave at irregular times to support the child and the mother. The defendant has communicated with the probation officer appropriately and appears to be taking his commitments to the court and his new child seriously. Lewis continues to farm and work construction for his family businesses for third party custodians. No issues have been reported to the probation officer. The Assistant United States Attorney and the defendant's counsel have been contacted and they stated no objections to the proposed modification.

PRAYING THAT THE COURT WILL ORDER that the technology component (RF Monitoring) of the Home Detention Program be removed.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Matthew A. Fmura
Matthew A. Fmura
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2345
Executed On: January 8, 2025

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ORDER OF THE COURT

Considered and ordered the 9th day of January, 2025, and ordered filed and made part of the records in the above case.

Richard E. Myers II

Richard E. Myers II
Chief United States District Judge